

**MEMORANDUM
DEPARTMENT OF FACILITY SERVICES
COUNTY OF PLACER**

To: **BOARD OF SUPERVISORS**

Date: **APRIL 18, 2006**

From: **~~JD~~ JAMES DURFEE / MARY DIETRICH**

Subject: **WETLANDS MITIGATION AND MONITORING PLAN, PROJECT NO. 4770**

ACTION REQUESTED / RECOMMENDATION: It is recommended that your Board take the following actions associated with the regulatory requirements for a U.S. Army Corps of Engineers Nationwide Permit #39 effecting properties at the Placer County Government Center in Auburn:

- 1) Approve the attached Resolution delegating authority to the Director of Facility Services, or his designee, to execute all documents and to take all actions necessary to satisfy the requirements of the U.S. Army Corps of Engineers Nationwide Permit #39 including recordation of a Declaration of Restrictions;
- 2) Approve plans and specifications and authorize staff to solicit bids for construction of the Placer County Government Center Wetlands Mitigation Improvements, Project No. 4770; and
- 3) Approve the attached Budget Revision in the amount of \$150,000.

BACKGROUND: Evaluation of the environmental impacts of new facility projects at the Placer County Government Center led to the identification of wetland habitat impacts resulting from construction of the Auburn Justice Center and the Children's Emergency Shelter. On October 11, 2002, a wetlands delineation was submitted to the U.S. Army Corps of Engineers (USACE) for verification and to initiate the permitting process to fill the effected wetland areas. On October 22, 2003, a Pre-Construction Notification (PCN) and draft *Wetland Mitigation and Monitoring Plan, DeWitt Government Center* (WMMP) were submitted to the USACE outlining a plan to mitigate the wetland impacts by expanding the wetland habitat on the western margin of the decommissioned sewer pond. The WMMP includes detailed plans and specifications for expanding the wetland habitat and for monitoring and reporting the condition of the habitat over a ten year period.

The USACE issued a Nationwide Permit #39 (NWP) for these impacts on February 28, 2006 which placed the following requirements on the County: 1) implementation of the wetland replacement project defined in the WMMP; 2) monitoring and reporting of the habitat condition over ten years; 3) establishment of a Capital Improvements Project account sufficient to maintain and monitor the wetland habitat; and 4) recordation of a Declaration of Restrictions limiting activities within the habitat area.

In order to fulfill the requirements of the NWP, it is requested that your Board adopt a Resolution to delegate authority to the Director of Facility Services, or his designee, to execute all documents and to take all actions necessary to satisfy the requirements of the Permit. This will include, subject to review and approval by County Counsel, execution and recordation of a Declaration of Restrictions which will limit activities in the

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mitigation area in order to preserve the habitat in perpetuity. To initiate the process to construct the required wetland mitigation improvements, it is necessary for your Board to approve the plans and specifications and authorize staff to solicit bids pursuant to the Public Contract Code. Approval of the attached Budget Revision is required to move funding within the Capital Improvements Project Fund to a newly created project account established for compliance with the NWP. Staff will return to your Board at a later date for approval of a consultant services contract to provide construction monitoring and long term monitoring and reporting as required by the USACE.

ENVIRONMENTAL CLEARANCE: On January 20, 2004, your Board certified an EIR for the Placer County Government Center Facility Plan and adopted the Findings of Fact and Statement of Overriding Considerations on the Placer County Government Center Facility Plan. On March 29, 2005 your Board approved and certified an Addendum to that EIR which studied the specific impacts of the B Avenue Extension Project.

FISCAL IMPACT: The estimated total project cost of the Wetland Mitigation Plan and Permit compliance is \$150,000, including expansion of the wetland habitat, consultant services necessary to provide the required monitoring and reporting, and project management. To fund this project, the attached Budget Revision transfers \$75,000 from each of the Auburn Justice Center and the Children's Emergency Shelter project accounts to the Placer County Government Center Wetlands Mitigation project.

ATTACHMENT: BUDGET REVISION
RESOLUTION

JD:MD:RU:ds

CC: COUNTY EXECUTIVE OFFICE
PROCUREMENT SERVICES

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Before the Board of Supervisors County of Placer, State of California

In the matter of: A RESOLUTION AUTHORIZING
THE DIRECTOR OF FACILITY SERVICES, OR HIS
DESIGNEE TO EXECUTE ALL NECESSARY
DOCUMENTS AND TAKE ALL ACTIONS TO SATISFY
THE REQUIREMENTS OF THE U.S. ARMY CORPS OF
ENGINEERS NATIONWIDE PERMIT #39

Resol. No. _____

The following RESOLUTION was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held _____, by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Attest:
Clerk of said Board

Chairman, Board of Supervisors

WHEREAS, the construction of the Auburn Justice Center and the Children's Emergency Shelter at the Placer County Government Center will effect wetlands that fall under the jurisdiction of the U.S. Army Corps of Engineers; and

WHEREAS, the USACE has issued a Nationwide Permit #39 establishing requirements to mitigate the construction impacts to the identified wetlands; and

WHEREAS, these requirements include implementation of a Wetland Mitigation and Monitoring Plan, monitoring and reporting on the habitat condition over ten years, establishment of a Capital Improvement Project account sufficient to maintain and monitor the wetland habitat, and the recordation of a Declaration of Restrictions limiting activities within the habitat area; and

NOW, THEREFORE, BE IT RESOLVED that Placer County Board of Supervisors does hereby authorize the Director of Facility Services, or his designee, to execute all necessary documents and take all actions to satisfy the requirements of the U.S. Army Corps of Engineers Nationwide Permit 39 (Permit File No. 200200662), and does hereby consent to the recordation of a Declaration of Restrictions against a portion of the Placer County Government Center shown in Exhibit A which will limit activities in the mitigation area in order to preserve the habitat in perpetuity.

Attachment: Exhibit A – Mitigation Area

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**MITIGATION AREA
BOUNDARY**

BUDGET REVISION

PC AUDITOR-CONTROLLER

2006 APR -4 P 2: 22

POST DATE:

DEPT NO.	DOC TYPE	Total \$ Amount	TOTAL LINES
12	BR	600,000.00	5

- ☐ Cash Transfer Required
- ☐ Reserve Cancellation Required
- ☐ Establish Reserve Required

Auditor-Controller

County Executive

Board of Supervisors

ESTIMATED REVENUE ADJUSTMENT											APPROPRIATION ADJUSTMENT										
DEPT NO.	T/C	Rev	Fund	Sub Fund	OCA	PCA	OBJ 3	PROJ.	PROJ. DTL	AMOUNT	DEPT NO.	T/C	Rev	Fund	Sub Fund	OCA	PCA	OBJ 3	PROJ.	PROJ. DTL	AMOUNT
											12	035		140		991078	91078	4151	704674	010000	75,000.00
											12	035		140		991078	91078	4151	704677	010000	75,000.00
											12	034		140		991078	91078	4151	704770	010000	150,000.00
											12	015		140		991078	91078	4151			150,000.00
											12	014		140		991078	91078	4151			150,000.00

REASON FOR REVISION: TO MOVE APPROPRIATION FROM CAPITAL PROJECT 704674-AUBURN JUSTICE CENTER AND 704677-CHILDREN SHELTER FOR THE
PLACER GOVERNMENT CENTER WETLANDS MITIGATION PROJECT.

Prepared by Valerie Bunte Ext 6803

Department Head _____

Board of Supervisors

Date: 4/18/05

Page:

Budget Revision # _____ FOR INDIVIDUAL DEPT USE

